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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/534,824
Filing Date: March 23, 2000
Appellant(s): EDGE ET AL.

David A. Novais
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed August 3, 2007 appealing from the Office action mailed October 18, 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,926,185 VYNCKE ET AL. 7-1999

Adobe Illustrator 8.0, (Help Section) "Using Gradients, Blends, and Patterns," Changing gradients, blends and patterns into filled objects, pages 1-2, 10/20/2000 IDS.

IBM Technical Disclosure Bulletin, Concurrent PostScript Rasterizers Based High Throughput Color Printer Architecture, doc. ID NN9703141, March 1997, Vol. 40, Issue 3, pp. 1-2.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2, 4-11, 13-19, 21-27, 29-33, 35-39, 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vyncke et al. (hereinafter Vyncke), US 5,926,185 patented 7/20/1999, cited in Applicant's 10/20/2000 IDS in view of Adobe Illustrator 8.0 (hereinafter Illustrator), (Help Section) "Using Gradients, Blends, and Patterns," Changing gradients, blends and patterns into filled objects, pages 1-2, cited in Applicant's 10/20/2000 IDS.

Regarding independent claims 1, 10, and 18, Vyncke teaches identifying complex page description commands and replacing them with simplified page description commands in the abstract, and col. 2 line 41 - col. 3 line 17. Vyncke teaches identifying and simplifying implicit color commands in fig. 4-5 and col. 5 line 46 - col. 6 line 45. Vyncke teaches in col. 1 lines 56-57 that it is desirable to edit the page description command objects instead of the pixel image file. Thus, Vyncke teaches that it is desirable to edit the commands of the page description language before the commands are sent to a raster image processor. Vyncke does not teach converting the implicit color commands to explicit color commands. Illustrator does teach converting an identified implicit color command into a set of explicit color commands in pages 1 and 2. The figure shows a gradient being transformed into a set of explicitly colored bands which collectively represent the former gradient implicit color command. Illustrator teaches that this can be particularly useful if there is difficulty printing objects containing the implicit gradients or blends. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of Illustrator and Vyncke to have created the claimed invention. It would have been obvious and desirable to have modified the page description command identification and replacement technique of Vyncke with the ability to replace implicit color commands with explicit color commands as is taught by Illustrator so that the document would have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col. 2 line 12 and Illustrator is page 1 indicate that it is desirable to edit page description color commands to improve printing quality.

Vyncke teaches in col. 6 lines 34-45 that the individual colors of the implicit color command may be modified by the user. Illustrator does teach converting an identified implicit color command into a set of explicit color commands in pages 1 and 2. The figure shows a gradient being transformed into a set of explicitly colored bands which collectively represent the former gradient implicit color command. Illustrator teaches that this can be particularly useful if there is difficulty printing objects containing the implicit gradients or blends. Since the expand command teaching of Illustrator teaches a set of explicit

color command objects, the objects can then be independently manipulated, thus allowing modification of the color values specified by the explicit color commands. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of Illustrator and Vyncke to have created the claimed invention. It would have been obvious and desirable to have modified the page description command identification and replacement technique of Vyncke with the ability to replace implicit color commands with explicit color commands as is taught by Illustrator so that the document could have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col. 2 line 12 and Illustrator is page 1 indicate that it is desirable to edit page description color commands to improve printing quality.

Regarding dependent claims 2, 11, and 19, Vyncke teaches in col. 1 lines 56-57 wherein page description color commands are identified and converted without raster image processing the page description file.

Regarding dependent claims 4, 13, and 21, Vyncke teaches identifying a one or more implicit color commands which define reproductions of graphic image objects over a color range in fig. 4-5 and col. 5 line 46 - col. 6 line 45. Vyncke does not teach converting the implicit color commands to explicit color commands. Illustrator does teach converting an identified implicit color command into a set of explicit color commands in pages 1 and 2. The figure shows a gradient being transformed into a set of explicitly colored bands which collectively represent the former gradient implicit color command. Illustrator teaches that this can be particularly useful if there is difficulty printing objects containing the implicit gradients or blends. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of Illustrator and Vyncke to have created the claimed invention. It would have been obvious and desirable to have modified the page description command

identification and replacement technique of Vyncke with the ability to replace implicit color commands with explicit color commands as is taught by Illustrator so that the document could have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col. 2 line 12 and Illustrator is page 1 indicate that it is desirable to edit page description color
. commands to improve printing quality.

Regarding dependent claims 5, 14, and 22, Vyncke teaches simplifying substantially all of the implicit color commands within the page description file in fig. 4-5 and col. 5 line 46 - col. 6 line 45. Vyncke does not teach converting the implicit color commands to explicit color commands. Illustrator does teach converting an identified implicit color command into a set of explicit color commands in pages 1 and 2. The figure shows a gradient being transformed into a set of explicitly colored bands which collectively represent the former gradient implicit color command. Illustrator teaches that this can be particularly useful if there is difficulty printing objects containing the implicit gradients or blends. It would have been obvious to one of
ordinary skill in the art at the time the invention was made to have combined the teaching of Illustrator and Vyncke to have created the claimed invention. It would have been obvious and desirable to have modified the page description command identification and replacement technique of Vyncke with the ability to replace implicit color commands with explicit color commands as is taught by Illustrator so that the document could have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col. 2 line 12 and Illustrator is page 1 indicate that it is desirable to edit page description color commands to improve printing quality.

Regarding dependent claims 6, 15, and 23, Vyncke teaches identifying a one or more shading implicit color commands which define graphic image objects characterized by a starting color value, an

ending color value, and a shading function over a range of color values between the starting color value and the ending color value in fig. 4-5 and col. 5 line 46 - col. 6 line 45. Vyncke does not teach converting the implicit color commands to explicit color commands. Illustrator does teach converting an identified implicit color command into a set of explicit color commands in pages 1 and 2. The figure shows a gradient being transformed into a set of explicitly colored bands which collectively represent the former gradient implicit color command. Illustrator teaches that this can be particularly useful if there is difficulty printing objects containing the implicit gradients or blends. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of Illustrator and Vyncke to have created the claimed invention. It would have been obvious and desirable to have modified the page description command identification and replacement technique of Vyncke with the ability to replace implicit color commands with explicit color commands as is taught by Illustrator so that the document could have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col. 2 line 12 and Illustrator is page 1 indicate that it is desirable to edit page description color commands to improve printing quality.

Regarding dependent claims 7, 16, and 24, Vyncke teaches identifying a one or more shading implicit color commands which define graphic image objects characterized by a starting color value, an ending color value, and a shading function over a range of color values between the starting color value and the ending color value in fig. 4-5 and col. 5 line 46 - col. 6 line 45. Vyncke does not teach converting the implicit color commands to explicit color commands. Illustrator does teach converting an identified implicit color command into a set of explicit color commands, wherein the explicit color commands are a plurality of sub-objects, each of the sub-objects being assigned a color value corresponding to a color value produced by the shading

function in an area of the graphic image object corresponding to the respective sub-object in pages 1 and 2. The figure shows a gradient being transformed into a set of explicitly colored bands which collectively represent the former gradient implicit color command. Illustrator teaches that this can be particularly useful if there is difficulty printing objects containing the implicit gradients or blends. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of Illustrator and Vyncke to have created the claimed invention. It would have been obvious and desirable to have modified the

page description command identification and replacement technique of Vyncke with the ability to replace implicit color commands with explicit color commands as is taught by Illustrator so that the document could have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col. 2 line 12 and Illustrator is page 1 indicate that it is desirable to edit page description color commands to improve printing quality.

Regarding dependent claims 8, 17, and 25, Vyncke teaches wherein the color values include cyan, magenta, yellow, and black color values in col. 6 line 46 - col. 7 line 46.

Regarding dependent claim 9, Vyncke teaches identifying a one or more implicit color commands and replacing them with simplified implicit color commands in fig. 4-5 and col. 5 line 46 - col. 6 line 45. Vyncke does not teach converting the implicit color commands to explicit color commands. Illustrator does teach converting an identified implicit color command into a set of explicit color commands, wherein the explicit color commands, upon raster image processing, define visual output that is analogous to visual output defined by the corresponding implicit color commands in pages 1 and 2. The figure shows a gradient being transformed into a set of explicitly colored bands which collectively represent the former gradient implicit color command. Illustrator teaches that this can be particularly

useful if there is difficulty printing objects containing the implicit gradients or blends. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of Illustrator and Vyncke to have created the claimed invention. It would have been obvious and desirable to have modified the page description command identification and replacement technique of Vyncke with the ability to replace implicit color commands with explicit color commands as is taught by Illustrator so that the document could have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col. 2 line 12 and Illustrator is page 1 indicate that it is desirable to edit page description color commands to improve printing quality.

Regarding independent claims 26, 32, and 38, Vyncke teaches identifying complex page description commands and replacing them with simplified page description commands in the abstract, and col. 2 line 41 - col. 3 line 17. Vyncke teaches identifying and simplifying implicit color commands in fig. 4-5 and col. 5 line 46 - col. 6 line 45. Vyncke teaches in col. 1 lines 56-57 that it is desirable to edit the page description command objects instead of the pixel image file. Thus, Vyncke teaches that it is desirable to edit the commands of the page description language before the commands are sent to a raster image processor. Vyncke does not teach converting the implicit color commands to plurality of implicit color sub-commands. Illustrator does teach converting an identified implicit color command into a set of color sub-commands in pages 1 and 2. The figure shows a gradient being transformed into a set of colored band sub-commands which collectively represent the former gradient implicit color command. The figure also shows a color command being converted into a plurality of color sub-commands which are individually manipulated. Illustrator teaches that this can be particularly useful if there is difficulty printing objects containing the implicit gradients or blends. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of Illustrator and Vyncke to have created the claimed invention. It would have been obvious and desirable to have modified the

page description command identification and replacement technique of Vyncke with the ability to replace implicit color commands with implicit color sub-commands as is taught by Illustrator so that the document could have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col. 2 line 12 and Illustrator on page 1 indicate that it is desirable to edit page description color commands to improve printing quality.

Vyncke teaches in col. 6 lines 34-45 that the individual colors of the implicit color command may be modified by the user.

Regarding dependent claims 27, 33, and 39, Vyncke teaches in col. 1 lines 56-57 wherein page description color commands are identified and converted without raster image processing the page description tile. Regarding dependent claims 28, 34, and 40, Vyncke teaches in col. 6 lines 34-45 that the individual colors of the implicit color command may be modified by the user.

Regarding dependent claims 29, 35, and 41, Vyncke teaches simplifying substantially all of the implicit color commands within the page description file in fig. 4-5 and col. 5 line 46 - col. 6 line 45. Vyncke does not teach converting the implicit color commands to color sub-commands. Illustrator does teach converting an identified implicit color command into a set of color sub-commands in pages 1 and 2. The figure shows a gradient being transformed into a set of colored band sub-commands which collectively represent the former gradient implicit color command. The figure also shows a color command being converted into a plurality of color sub-commands which are individually manipulable. Illustrator teaches that this can be particularly useful if there is difficulty printing objects containing the implicit gradients or blends. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of Illustrator and Vyncke to have created the claimed

invention. It would have been obvious and desirable to have modified the page description command identification and replacement technique of Vyncke with the ability to replace implicit color commands with implicit color sub-commands as is taught by Illustrator so that the document could have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col. 2 line 12 and Illustrator is page 1 indicate that it is desirable to edit page description color commands to improve printing quality.

Regarding dependent claims 30, 36, and 42, Vyncke teaches simplifying substantially all of the implicit color commands within the page description tile in fig. 4-5 and col. 5 line 46 - col. 6 line 45. Vyncke does not teach converting the implicit color commands to color sub-commands. Illustrator does teach converting an identified implicit color command into a set of color sub-commands in pages 1 and 2. Illustrator teaches in page 1 that the color sub-commands can be converted into explicit color commands. The figure shows a gradient being transformed into a set of explicit color command bands which collectively represent the former gradient implicit color command. The figure also shows a color command being converted into a plurality of color sub-commands which are individually manipulable. Illustrator teaches that this can be particularly useful if there is difficulty printing objects containing the implicit gradients or blends. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of Illustrator and Vyncke to have created the claimed invention. It would have been obvious and desirable to have modified the page description command identification and replacement technique of Vyncke with the ability to replace implicit color commands with implicit color sub-commands and explicit color commands as is taught by

Illustrator so that the document could have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col. 2 line 12 and Illustrator is page 1 indicate that it is desirable to edit page description color commands to improve printing quality.

Regarding dependent claims 31, 37, and 43, Vyncke teaches wherein the color values include cyan, magenta, yellow, and black color values in col. 6 line 46 - col. 7 line 46.

Claims 3, 12, 20, 44-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vyncke, in view of Illustrator, and further in view of IBM Technical Disclosure Bulletin (hereinafter IBM), Concurrent PostScript Rasterizers Based High Throughput Color Printer Architecture, doc. ID NN9703141, March 1997, Vol. 40, Issue 3, pp. 1-2.

Regarding dependent claims 3, 12, and 20, Vyncke does not specifically teach a table and library of commands. However, IBM teaches pdf conversions whereby color rendering dictionaries are used with tables for color transformations (IBM page 2 – bracketed portion). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply IBM to Vyncke, providing Vyncke the benefit of transformation tables for facilitating fast lookups, and lower chance of bottlenecking (see IBM page 2 – last sentence).

Regarding independent claims 44, 45, and 46, Vyncke teaches identifying complex page description commands and replacing them with simplified page description commands in the abstract, and col. 2 line 41 - col. 3 line 17. Vyncke teaches identifying and simplifying implicit color commands in fig. 4-5 and col. 5 line 46 - col. 6 line 45. Vyncke teaches in col. 1 lines 56-57 that it is desirable to edit the

page description command objects instead of the pixel image file. Thus, Vyncke teaches that it is desirable to edit the commands of the page description language before the commands are sent to a raster image processor. Vyncke teaches in col. 6 lines 34-45 that the individual colors of the implicit color command may be modified by the user, but does not teach converting the implicit color commands to explicit color commands which are individually modifiable. Illustrator does teach converting an identified implicit color command into a set of explicit color commands which are individually modifiable in pages 1 and 2. The figure shows a gradient being transformed into a set of explicitly colored bands which collectively represent the former gradient implicit color command. Illustrator teaches that this can be particularly useful if there is difficulty printing objects containing the implicit gradients or blends. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of Illustrator and Vyncke to have created the claimed invention. It would have been obvious and desirable to have modified the page description command identification and replacement technique of Vyncke with the ability to replace implicit color commands with explicit color commands as is taught by Illustrator so that the document could have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col. 2 line 12 and Illustrator is page 1 indicate that it is desirable to edit page description color commands to improve printing quality.

Vyncke does not specifically teach a table and library of commands. However, IBM teaches pdf conversions whereby color rendering dictionaries are used with tables for color transformations (IBM page 2 – bracketed portion). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply IBM to Vyncke, providing Vyncke the benefit of transformation tables for facilitating fast lookups, and lower chance of bottlenecking (see IBM page 2 – last sentence).

Vyncke does not specifically teach a file based on a profile characterizing color output by device. However, IBM teaches a tool for defining translation from device to device by means of tables and procedures in a Color Rendering Dictionary (IBM page 2 – bracketed portion). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply IBM to Vyncke, providing Vyncke the benefit of specialized translation, for facilitating fast lookups, and lower chance of bottlenecking (see IBM page 2 – last sentence).

Regarding independent claim 47, Vyncke teaches identifying complex page description commands and replacing them with simplified page description commands in the abstract, and col. 2 line 41 - col. 3 line 17. Vyncke teaches identifying and simplifying implicit color commands in fig. 4-5 and col. 5 line 46 - col. 6 line 45. Vmcke teaches in col. 1 lines 56-57 that it is desirable to edit the page description command objects instead of the pixel image file. Thus, Vyncke teaches that it is desirable to edit the commands of the page description language before the commands are sent to a raster image processor. Vyncke does not teach converting the implicit color commands to explicit color commands. Illustrator does teach converting and replacing an identified implicit color command into a set of explicit color commands in pages 1 and 2.

The figure shows a gradient being transformed into a set of explicitly colored bands which collectively represent the former gradient implicit color command. Illustrator teaches that this can be particularly useful if there is

difficulty printing objects containing the implicit gradients or blends. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teaching of Illustrator and Vyncke to have created the claimed invention. It would have been obvious and desirable to have modified the page description command identification and replacement technique of Vyncke with the ability to replace implicit color commands with explicit color commands as is taught by Illustrator so that

the document could have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col.
2 line 12 and Illustrator is page 1 indicate that it is desirable to edit page description color commands to improve printing quality.

Vyncke does not specifically teach a table and library of commands. However, IBM teaches pdf conversions whereby color rendering dictionaries are used with tables for color transformations (IBM page 2 – bracketed portion). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply IBM to Vyncke, providing Vyncke the benefit of transformation tables for facilitating fast lookups, and lower chance of bottlenecking (see IBM page 2 – last sentence).

Vyncke does not specifically teach a file based on a profile characterizing color output by device. However, IBM teaches a tool for defining translation from device to device by means of tables and procedures in a Color Rendering Dictionary (IBM page 2 – bracketed portion). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply IBM to Vyncke, providing Vyncke the benefit of specialized translation, for facilitating fast lookups, and lower chance of bottlenecking (see IBM page 2 – last sentence).

Regarding independent claim 48, Vyncke teaches parsing a page description file to identify complex page description commands and replace them with simplified page description commands in the abstract, and col. 2 line 41 - col. 3 line 17. Vyncke teaches parsing a page description file to identify and simplify implicit color commands in fig. 4-5 and col. 5 line 46 - col. 6 line 45. Vyncke teaches in col. 1 lines 56-57 that it is desirable to edit the page description command objects instead of the pixel image file. Thus, Vyncke teaches that it is desirable to edit the commands of the page description language before the commands are sent to a raster image processor. Vyncke does not teach converting and replacing the implicit color commands with

explicit color commands. Illustrator does teach converting and replacing an identified implicit color command with a set of explicit color commands that approximate the function and content defined by the identified implicit color command in pages 1 and 2. The figure shows a gradient being transformed into a set of explicitly colored bands which collectively represent the former gradient implicit color command. Illustrator teaches that this can be particularly useful if there is difficulty printing objects containing the implicit gradients or blends. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined

the teaching of Illustrator and Vyncke to have created the claimed invention. It would have been obvious and desirable to have modified the page description command identification and replacement technique of Vyncke with the ability to replace implicit color commands with explicit color commands as is taught by Illustrator so that the document could have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col. 2 line 12 and Illustrator is page 1 indicate that it is desirable to edit page description color

commands to improve printing quality.

Vyncke does not specifically teach a table and library of commands. However, IBM teaches pdf conversions whereby color rendering dictionaries are used with tables for color transformations (IBM page 2 – bracketed portion). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply IBM to Vyncke, providing Vyncke the benefit of transformation tables for facilitating fast lookups, and lower chance of bottlenecking (see IBM page 2 – last sentence).

Vyncke does not specifically teach a file based on a profile characterizing color output by device. However, IBM teaches a tool for defining translation from device to device by means of tables and procedures in a Color Rendering Dictionary (IBM page 2 – bracketed portion). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply IBM to Vyncke, providing

Vyncke the benefit of specialized translation, for facilitating fast lookups, and lower chance of bottlenecking (see IBM page 2 – last sentence).

Regarding dependent claim 49, Vyncke teaches leaving intact implicit spatial commands within a page description file without converting the implicit spatial commands to explicit spatial commands in col. 1 line 44 - col. 2 line 17.

Regarding independent claim 50, Vyncke teaches identifying complex page description commands and replacing them with simplified page description commands in the abstract, and desirable to have modified the page description command identification and replacement technique of Vyncke with the ability to replace implicit color commands with explicit color commands as is taught by Illustrator so that the document could have been appropriately modified to have overcome printing problems. Both Vyncke in col. 1 line 56 - col. 2 line 12 and Illustrator is page 1 indicate that it is desirable to edit page description color commands to improve printing quality.

Vyncke does not specifically teach a file based on a profile characterizing color output by device. However, IBM teaches a tool for defining translation from device to device by means of tables and procedures in a Color Rendering Dictionary (IBM page 2 – bracketed portion). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply IBM to Vyncke, providing Vyncke the benefit of specialized translation, for facilitating fast lookups, and lower chance of bottlenecking (see IBM page 2 – last sentence).

(10) Response to Argument

Beginning on page 9 of the Appeal Brief (hereinafter the Brief), Appellant argues the following issues, which are accordingly addressed below.

Appellant makes note on page 9 of the Brief that reference Vyncke teaches replacing explicit color commands with implicit color commands, which is the opposite of what is claimed in instant representative claim 1. Appellant goes on to say that modification of Vyncke (implicit to explicit) would allegedly render Vyncke's goal unattainable. On page 10 of the Brief, Appellant argues that the examiner's motivation to combine references is insufficient, and that the problem addressed by Vyncke would not be overcome by converting implicit color commands to explicit color commands, noting that according to Vyncke, some commercial printers have constraints imposed by the printing process itself.

The examiner respectfully disagrees. The examiner's intention is not to necessarily change the way Vyncke works, but to add the capability of reversing commands to Vyncke. Adding Illustrator to Vyncke would give Vyncke the added ability to replace implicit color commands with explicit color commands (as is taught by Illustrator) so that the document would be appropriately modified to overcome printing problems. Please note that both Vyncke in col. 1 line 56 - col. 2 line 12, and Illustrator at page 1, indicate that it is desirable to edit page description color commands to improve printing quality. Page 1 of Illustrator teaches that the "Expand" command can convert gradients, blends or patterns into filled objects, and is particularly useful if one is having difficulty printing objects that contain gradients, blends or patterns.

Appellant argues on page 11 of the Brief that the proposed combination of Vyncke and Illustrator appears to be inappropriate.

The examiner respectfully disagrees. It is the examiner's opinion that combining both references would allow Vyncke to achieve both methods of changing explicit commands to implicit commands, with the added capability of changing certain implicit commands to explicit commands, providing Vyncke with increased versatility in dealing with problem printers.

Appellant argues on page 12 of the Brief that Vyncke does not teach modification of explicit commands of color values, and that Illustrator's method is manually performed.

The examiner respectfully disagrees. Vyncke clearly teaches color mapping, which deals with color values (typical for mapping purposes) (see Vyncke at least column 5 line 45 – section "Color Mapping"). Illustrator is added to Vyncke accordingly.

Appellant argues on page 13 of the Brief that the examiner's arguments are mutually exclusive (regarding rejection of claims 26, 32, and 38).

The examiner respectfully disagrees. Illustrator teaches converting an identified implicit color command into a set of color sub-commands in pages 1 and 2. The figure shows a gradient being transformed into a set of colored band sub-commands which collectively represent the former gradient implicit color command. The figure also shows a color command being converted into a plurality of color sub-commands which are individually manipulated.

Appellant argues on page 14 of the Brief that the examiner does not explain how dictionaries with tables would increase the speed of Vyncke.

In response, the IBM reference (page 7 of the Request), IBM is applied to Vyncke, providing Vyncke the benefit of transformation tables for facilitating fast lookups, and lower chance of bottlenecking (see IBM page 2 - last sentence). Vyncke teaches that it is desirable to edit the commands of the page description language before the commands are sent to a raster image processor. Although IBM eventually rasterizes .ps files, it would have been obvious to apply IBM's tables and libraries to Vyncke's method prior to rasterization.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

William L. Bashore

WILLIAM BASHORE
PRIMARY EXAMINER

Conferees:

DOUG HUTTON
SUPERVISORY PATENT EXAMINER

Doug Hutton (SPE)

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